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22 **UNITED STATES DISTRICT COURT**

23 **DISTRICT OF NEVADA**

24 U.S. EQUAL EMPLOYMENT OPPORTUNITY) Case No.: 2:17-cv-02458-MMD-GWF
25 COMMISSION,)
26)
27 Plaintiff,) **NOTICE OF RESTORATION OF
28 vs.) FUNDING TO THE FEDERAL
LUCINDA MANAGEMENT, LLC,) GOVERNMENT AND REOPENING OF
CENTENNIAL FOOD CORPORATION dba) THE EEOC AND UNOPPOSED MOTION
IHOP RESTAURANT, NELLIS FOOD) TO LIFT STAY AND RESET
CORPORATION dba IHOP RESTAURANT,) DEADLINES
VEGAS FOOD CORPORATION dba IHOP)
RESTAURANT, CHEYENNE FOOD)
CORPORATION dba IHOP RESTAURANT,)
CRAIG FOOD CORPORATION dba IHOP)
RESTAURANT, BAYSHORE FOOD)
CORPORATION dba IHOP RESTAURANT,)
DiHOP CORPORATION dba IHOP)
RESTAURANT, COOPER STREET CLAM &)
OYSTER BAR, LLC, and Does 1-5 Inclusive,)
Defendant.)**

On December 26, 2018, Plaintiff Equal Employment Opportunity Commission (“EEOC”) filed an unopposed motion to stay this litigation and extend all deadlines due to the shutdown of operations of the Federal Government and lapse in appropriations (ECF No. 53).

On January 2, 2019, the Court granted the motion to stay this matter pending the restoration of funding to the EEOC and extended all pending deadlines in this matter for the same number of days as the EEOC's lapse in appropriations.

On January 25, 2019, the President signed a continuing resolution restoring funding for government operations through February 15, 2019. The EEOC has been reopened. EEOC now files this notice and motion to inform the Court of the restoration of funding to the EEOC.

The only deadline currently applicable to this case is a deadline to file the finalized and signed Consent Decree, previously set for January 11, 2019. Since the reopening of government operations, counsel for EEOC and counsel for Defendants have spoken and agreed that the previously imposed stay should lift and that the deadline to file the finalized consent decree should be extended.

Accordingly, the EEOC respectfully requests that the stay in this matter be lifted and a deadline of February 14, 2019 be set to file the signed consent decree. Although the EEOC requested and the Court agreed to extend all deadlines by the same amount of time as the government was shutdown (35 days), the EEOC proposes February 14, 2019 to file the signed consent decree because the EEOC is currently only funded until February 15, 2019.

Respectfully submitted,

Dated: February 5, 2019

/s/ Sue Noh

Sue Noh

Supervisory Trial Attorney
U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION

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22 **UNITED STATES DISTRICT COURT**

23 **DISTRICT OF NEVADA**

24 U.S. EQUAL EMPLOYMENT OPPORTUNITY) Case No.: 2:17-cv-02458-MMD-GWF
25 COMMISSION,)
26)
27 Plaintiff,) **ORDER RE: NOTICE OF
28 vs.) RESTORATION OF FUNDING TO THE
LUCINDA MANAGEMENT, LLC,) FEDERAL GOVERNMENT AND
CENTENNIAL FOOD CORPORATION dba) REOPENING OF THE EEOC AND
IHOP RESTAURANT, NELLIS FOOD) UNOPPOSED MOTION TO LIFT STAY
CORPORATION dba IHOP RESTAURANT,) AND RESET DEADLINES
VEGAS FOOD CORPORATION dba IHOP)
RESTAURANT, CHEYENNE FOOD)
CORPORATION dba IHOP RESTAURANT,)
CRAIG FOOD CORPORATION dba IHOP)
RESTAURANT, BAYSHORE FOOD)
CORPORATION dba IHOP RESTAURANT,)
DiHOP CORPORATION dba IHOP)
RESTAURANT, COOPER STREET CLAM &)
OYSTER BAR, LLC, and Does 1-5 Inclusive,)
Defendant.)**

[PROPOSED] ORDER

Upon Motion and good cause appearing,

IT IS HEREBY ORDERED that, in light of the reopening of the government following a thirty-five (35) day lapse in appropriations, the parties will file settlement documents on or before February 14, 2019.

DATED this 6th day of February, 2019

_____, 2019 

The Honorable Miranda M. Du
United States District Judge

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22 **UNITED STATES DISTRICT COURT**

23 **DISTRICT OF NEVADA**

24 U.S. EQUAL EMPLOYMENT OPPORTUNITY) Case No.: 2:17-cv-02458-MMD-GWF
25 COMMISSION,)
26 Plaintiff,) **CERTIFICATE OF SERVICE**
27 vs.)
28 LUCINDA MANAGEMENT, LLC,)
CENTENNIAL FOOD CORPORATION dba)
IHOP RESTAURANT, NELLIS FOOD) **RE: NOTICE OF RESTORATION OF**
CORPORATION dba IHOP RESTAURANT,) **FUNDING TO THE FEDERAL**
VEGAS FOOD CORPORATION dba IHOP) **GOVERNMENT AND REOPENING OF THE**
RESTAURANT, CHEYENNE FOOD) **EOC AND UNOPPOSED MOTION TO LIFT**
CORPORATION dba IHOP RESTAURANT,) **STAY AND RESET DEADLINES;**
CRAIG FOOD CORPORATION dba IHOP) **[PROPOSED] ORDER**
RESTAURANT, BAYSHORE FOOD)
CORPORATION dba IHOP RESTAURANT,)
DiHOP CORPORATION dba IHOP)
RESTAURANT, COOPER STREET CLAM &)
OYSTER BAR, LLC, and Does 1-5 Inclusive,)
Defendant.)

CERTIFICATE OF SERVICE

I am, and was at the time the herein mentioned mailing took place, a citizen of the United States, over the age of eighteen (18) years and not a party to the above-entitled cause. I am employed in the Legal Unit of the Los Angeles District Office of the United States Equal Employment Opportunity Commission. My business address is U.S. Equal Employment Opportunity Commission, 255 E. Temple Street, Fourth Floor, Los Angeles, California 90012.

On the date that this declaration was executed, as shown below, I served the foregoing

**NOTICE OF RESTORATION OF FUNDING TO THE FEDERAL GOVERNMENT AND
REOPENING OF THE EEOC AND UNOPPOSED MOTION TO LIFT STAY AND RESET
DEADLINES; [PROPOSED] ORDER** via the Case Management/Electronic Case Filing
(CM/ECF) system to:

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James T. Tucker, Esq., Nevada Bar No. 12507
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James.tucker@wilsonelser.com

I declare under penalty of perjury that the foregoing is true and correct. Executed on
February 5, 2019 at Los Angeles, CA.

/s/ Sue Noh
Sue Noh